

## **REMARKS**

Claims 1-6 are canceled. Claims 7-12 are pending. Claim 7 is amended with this paper.

### **Priority –**

In accordance with 35 U.S.C. §119(e) and 35 U.S.C. §120, the Applicants have submitted an amendment containing a specific reference to the prior filed applications in the section above entitled “In the Specification”.

### **Claim Rejections – 35 USC § 102**

Claims 7-10 and 12 are rejected under 35 U.S.C 102(b) as being anticipated by US Patent 4,394,891 to Oshima.

Applicant respectfully submits that Oshima does not anticipate amended independent Claim 7. Claim 7 has been amended to clarify that the invention includes two spring arms (13, 23) that urge the brake lining (4) against the piston.

As best understood, Oshima does not appear to describe spring arms that urge a brake pad 3, 3a against a brake piston. Instead, Oshima's spring arms 9a & 9b urge brake lining 3, 3a against arms 2, 2a. The force direction of Oshima's spring arms is at a right angle compared to the force direction that is required by the Applicant's amended Claim 7. For this reason Applicant believes that Claim 7 is in a condition for allowance.

Claims 8-10 and 12 depend either directly or indirectly from Claim 7 and are believed to be in a condition for allowance for at least the same reason as Claim 7.

### **Claim Rejections – 35 USC § 103**

Claim 11 is rejected under 35 U.S.C 103(a) as being unpatentable over Oshima in view of US Patent 2,711,801 to Super *et al*.

Applicant respectfully submits that the cited combination of Oshima and Super *et al.* does not provide a *prima facie* case of obviousness with respect to Claim 11 (which depends from amended Claim 7). In particular the cited combination does not provide the spring arms (13, 23) that urge the brake lining (4) against the piston. Since the cited combination does not provide all of the elements of Claim 11 Applicant must respectfully submit that the cited combination fails the test for *prima facie*. Claim 11 is therefore believed to be in a condition for allowance.

### **CONCLUSION**

Accordingly, Applicant believes that the claims as amended overcome the raised objections and rejections and are in a condition for allowance.

Respectfully submitted,

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